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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,669	12/04/2001	James A. Van Bosch	TC00135	9613
23330	7590	10/18/2005		
MOTOROLA, INC. LAW DEPARTMENT 1303 E. ALGONQUIN ROAD SCHAUMBURG, IL 60196			EXAMINER YANG, LINA	
			ART UNIT 2665	PAPER NUMBER

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/004,669

Applicant(s)

VAN BOSCH, JAMES A.

Examiner

Lina Yang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/27/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 3, 8, 17 and 18 are objected to because of the following informalities.  
Please spell out "VIN" recited in those claims.  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3, 4 and 5 are rejected under 35 U.S.C. 112, second paragraph.  
Claims 3, 4 and 5 recite the limitation "said second wireless communication device". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1, 4, 7, 11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Perkins (EPO 0483547 A1).

Regarding claim 1, Perkins teaches a method of enabling communication with a wireless communication device (unit 10 in fig. 2), said method comprising the steps of:

assigning a dynamic address to said wireless communication device when said wireless communication device registers with a wireless communication network (fig. 2) (fig. 3; col. 5 lines 29-47; col. 6 lines 51-58 and col. 7 lines 1-7);

storing a unique identifier (fully qualified names) of said wireless communication device (Fig. 2; MU 10 in LAN 3 ) in a memory of a second communication device (Fig. 2; MU 10 in LAN 2) (Fig. 2; the fully qualified name of MU 10 in LAN 3 must be previously stored in MU 10 in LAN 3 in order to provide the name to gateway 18; col. 8 lines 46-51);

providing said unique identifier of said wireless communication device from said second communication device to a server (global gateway 18 in fig. 2) (fig. 6 and col. 8 lines 46-51); and

communicating with said wireless communication device based upon said dynamic address assigned to said wireless communication device (fig. 6 and col. 8 paragraph "Delivery of Packets to a Mobile Unit 10").

Regarding claim 4, Perkins further teaches that the step of storing a unique identifier of a wireless communication device in a memory of a second communication

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device comprises storing an electronic serial number in said memory of said second wireless communication device (col. 6 lines 57-58 and col. 7 lines 1-2).

Regarding claim 7, Perkins further teaches that the step of providing said unique identifier of said wireless communication device to a server comprises providing an electronic serial number to a cellular service provider (gateways 16 and 18 have to be in the cellular service provider's site, fig. 1).

Regarding claim 11, Perkins further teaches that the step of communicating with said wireless communication device based upon said dynamic address assigned to said wireless communication device comprises providing packet data to said wireless communication device coupled to a vehicle based upon a dynamic IP address assigned to said wireless communication device (col. 6 lines 23-29).

Regarding claim 13, Perkins further teaches that a step providing said dynamic address to said second communication device (global gateway "owns" all of the associated pseudo-IP addresses, col. 5 lines 52-55).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 5-6, 8-10, 12, 14-26, 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Perkins (EPO 0483547 A1) in view of Holmes et al. (U. S. Patent No. 6,751,475 B1).

Regarding claim 2, Perkins further teaches that the step of assigning a dynamic address to said wireless communication device when said wireless communication device registers with a wireless communication network comprises assigning a dynamic IP address to a wireless communications device (col. 5 lines 36-47; col. 7 lines 2-7).

Perkins differs from the claimed invention in that Perkins does not specifically teach that the wireless communications device is coupled to a vehicle. However, it's well known in the art that a wireless communications device can be coupled with a vehicle. For example, Holmes teaches a wireless communications device mounted and/integrated with a vehicle (element 22 in fig. 1) is used to transmit wireless data from the vehicle. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to couple the wireless communications device

with a vehicle, as taught by Holmes in the assembly of Perkins in order to transmit wireless data from the vehicle.

Regarding claim 3, Perkins differs from the claimed invention in that Perkins does not specifically teach that the step of storing a unique identifier of a wireless communication device in a memory of a second communication device comprises storing a VIN of a vehicle in said memory of said second wireless communication device. However, Holmes teaches that a wireless device coupled to a vehicle can transmit the vehicle identification number of the vehicle to a telecommunication network, so that communication from the vehicle can be monitored using a vehicle identification number (col. 3 lines 51-67 and col. 4 lines 1-4). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include store a vehicle identification number (VIN) of a vehicle in said memory of said second wireless communication device, as taught by Holmes in the assembly of Perkins in order to monitor the communication from the vehicle.

Regarding claim 5, Perkins further teaches that the step of storing a unique identifier of a wireless communication device in a memory of a second communication device comprises storing an electronic serial number of a wireless communication device in said memory of said second wireless communication device (col. 6 lines 57-58 and col. 7 lines 1-2).

Perkins differs from the claimed invention in that Perkins does not specifically teach that the wireless communications device is coupled to a vehicle. However, it's well known in the art that a wireless communications device can be coupled with a vehicle. For example, Holmes teaches a wireless communications device mounted and/integrated with a vehicle (element 22 in fig. 1) is used to transmit wireless data from the vehicle. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to couple the wireless communications device with a vehicle, as taught by Holmes in the assembly of Perkins in order to transmit wireless data from the vehicle.

Regarding claim 6, Perkins differs from the claimed invention in that Perkins does not specifically teach that the second communication device is coupled to a vehicle. However, it's well known in the art that a wireless communications device can be coupled with a vehicle. For example, Holmes teaches a wireless communications device mounted and/integrated with a vehicle (element 22 in fig. 1) is used to transmit wireless data from the vehicle. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to couple the wireless communications device with a vehicle, as taught by Holmes in the assembly of Perkins in order to transmit wireless data from the vehicle.

Regarding claim 8, Perkins differs from the claimed invention in that Perkins does not specifically teach that the step of providing said unique identifier of said wireless communication device to a server comprises providing a VIN to a cellular service provider.

However, Holmes teaches that a wireless device coupled to a vehicle can transmit the vehicle identification number of the vehicle to a server 32, so that communication from the vehicle can be monitored using a vehicle identification number (col. 3 lines 51-67 and col. 4 lines 1-4). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to provide a vehicle identification number (VIN) of a vehicle to a cellular service provider, as taught by Holmes in the assembly of Perkins in order to monitor the communication from the vehicle.

Regarding claim 9, Perkins differs from the claimed invention in that Perkins does not specifically teach a step providing a command from said wireless communication network to said wireless communication device. However, Holmes teaches that as a command for enabling the wireless device 74c in fig. 5 (an acknowledgement 74b in fig. 5) is provided to a wireless device 74c enabling it to operate in the hand-free mode (fig. 5 and col. 6 lines 34-54). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include providing a command from said wireless communication network to said wireless communication device, as taught by Holmes in the assembly of Perkins in order to control the communication mode.

Regarding claim 10, Holmes further teaches that the step of communicating with the wireless communication device based upon the dynamic address assigned to the wireless communication device comprises controlling a vehicle coupled to said wireless communication device (fig. 5 and col. 6 lines 34-54).

Regarding claim 12, Perkins differs from the claimed invention in that Perkins does not specifically teach a step of communicating with the wireless communication device comprises providing a command from the wireless communication network to the wireless communication device coupled to a vehicle. However, Holmes teaches that as a command for enabling the wireless device 74c in fig. 5 (an acknowledgement 74b in fig. 5) is provided to a wireless device 74c enabling it to operate in the hand-free mode (fig. 5 and col. 6 lines 34-54). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include providing a command from said wireless communication network to said wireless communication device, as taught by Holmes in the assembly of Perkins in order to control the communication mode.

Regarding claim 14, Perkins further teaches that teaches that the second communication device communicates with said wireless communication device based upon said dynamic address assigned to said wireless communication device (fig. 6 and col. 8 lines 35-54).

Perkins differs from the claimed invention in that Perkins does not specifically teach the communicating comprises providing a command from said second communication device to said wireless communication device. However, However, Holmes teaches that as a command for enabling the wireless device 74c in fig. 5 (an acknowledgement 74b in fig. 5) is provided to a wireless device 74c enabling it to operate in the hand-free mode (fig. 5 and col. 6 lines 34-54). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include providing a command from said wireless communication network to said wireless communication device, as taught by Holmes in the assembly of Perkins in order to control the communication mode.

Regarding claim 15, Perkins teaches a method of enabling communication with a wireless communication device, said method comprising the steps of:

storing a unique identifier (fully qualified names) of said wireless communication device (Fig. 2; MU 10 in LAN 3 )in a memory of a second wireless communication device (Fig. 2; MU 10 in LAN 2) (Fig. 2; the fully qualified name of MU 10 in LAN 3 must be previously stored in MU 10 in LAN 3 in order to provide the name to gateway 18; col. 8 lines 46-51);

providing said unique identifier of said wireless communication device from said second wireless communication device to a wireless communication network (fig. 6 and col. 8 lines 46-51); and

communicating to said wireless communication device based upon said dynamic address assigned to the said wireless communication device (fig. 6 and col. 8 paragraph "Delivery of Packets to a Mobile Unit 10").

Perkins differs from the claimed invention in that Perkins does not specifically teach the wireless communication device is coupled to a vehicle. However, it's well known in the art that a wireless communications device can be coupled with a vehicle. For example, Holmes teaches a wireless communications device mounted and/integrated with a vehicle (element 22 in fig. 1) is used to transmit wireless data from the vehicle. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to couple the wireless communications device with a vehicle, as taught by Holmes in the assembly of Perkins in order to transmit wireless data from the vehicle.

Regarding claim 16, the modified assembly of Perkins and Holmes further teaches that teaches a step of assigning a dynamic address to the wireless communication device coupled to a vehicle when said wireless communication device registers with a wireless communication network (Perkins: fig. 3; col. 5 lines 29-47; col. 6 lines 51-58 and col. 7 lines 1-7).

Regarding claim 17, the modified assembly of Perkins and Holmes further teaches that teaches the step of storing a unique identifier of a wireless communication

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device coupled to a vehicle in a memory of a second wireless communication device comprises storing a VIN of said vehicle in a memory of a second wireless communication device (Holmes: col. 3 lines 51-67 and col. 4 lines 1-4).

Regarding claim 18, the modified assembly of Perkins and Holmes further teaches that the step of providing said unique identification of said wireless communication device to a communication network comprises providing a VIN to a cellular service provider (Holmes: col. 3 lines 51-67 and col. 4 lines 1-4; Perkins: gateways 16 and 18 have to be in the cellular service provider's site, fig. 1).

Regarding claim 19, the modified assembly of Perkins and Holmes further teaches that a step providing a command from said wireless communication network to said wireless communication device (Holmes: an acknowledgement 74b in fig. 5 is provided to a wireless device 74c enabling it to operate in the hand-free mode ; col. 6 lines 34-54).

Regarding claim 20, the modified assembly of Perkins and Holmes further teaches that the step of communicating with said wireless communication device based upon said dynamic address associated with said wireless communication device

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comprises controlling a vehicle incorporating said wireless communication device (Homes: fig. 5 and col. 6 lines 34-54).

Regarding claim 21, the modified assembly of Perkins and Holmes further teaches that the step of communicating with said wireless communication device based upon a changeable address associated with said wireless communication device comprises providing packet data to the wireless communication device coupled to a vehicle based upon a dynamic IP address assigned to the wireless communication device coupled to a vehicle (Perkins: col. 6 lines 23-25; col. 6 lines 51-58 and col. 7 lines 1-7).

Regarding claim 22, the modified assembly of Perkins and Holmes further teaches that the step of communicating comprises providing a command from said wireless communication network to said wireless communication device (Holmes: an acknowledgement 74b in fig. 5 is provided to a wireless device 74c enabling it to operate in the hand-free mode; col. 6 lines 34-54).

Regarding claim 23, the modified assembly of Perkins and Holmes further teaches that a step providing said dynamic address to said second communication

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device (Perkins: global gateway "owns" all of the associated pseudo-IP addresses, col. 5 lines 52-55).

Regarding claim 24, the modified assembly of Perkins and Holmes further teaches that the step of communicating comprises providing a command from said second communication device to said wireless communication device (Holmes: an acknowledgement 74b in fig. 5 is provided to a wireless device 74c enabling it to operate in the hand-free mode; col. 6 lines 34-54).

Regarding claim 25, Perkins teaches a method of enabling communication with a wireless communication device (Fig. 2; MU 10 in LAN 3), said method comprising the steps of:

storing a unique identifier (fully qualified names) of said wireless communication device (Fig. 2; MU 10 in LAN 3) in a memory of a second wireless communication device (Fig. 2; MU 10 in LAN 2) (Fig. 2; the fully qualified name of MU 10 in LAN 3 must be previously stored in MU 10 in LAN 3 in order to provide the name to gateway 18; col. 8 lines 46-51);

providing said unique identifier of said wireless communication device stored in said second wireless communication device to a wireless communication network (fig. 6 and col. 8 lines 46-51); and

enabling communication to said wireless communication device based upon a dynamic address associated with said wireless communication device (fig. 6 and col. 8 paragraph "Delivery of Packets to a Mobile Unit 10").

Perkins differs from the claimed invention in that Perkins does not specifically teach that the second wireless communications device is coupled to a vehicle. However, it's well known in the art that a wireless communications device can be coupled with a vehicle. For example, Holmes teaches a wireless communications device mounted and/integrated with a vehicle (element 22 in fig. 1) is used to transmit wireless data from the vehicle. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to couple the wireless communications device with a vehicle, as taught by Holmes in the assembly of Perkins in order to transmit wireless data from the vehicle.

Regarding claim 26, the modified assembly of Perkins and Holmes further teaches that teaches a step of assigning a dynamic address to the wireless communication device when said wireless communication device registers with a wireless communication network (Perkins: fig. 3; col. 5 lines 29-47; col. 6 lines 51-58 and col. 7 lines 1-7).

Regarding claim 29, Perkins differs from the claimed invention in that Perkins does not specifically teach that the step of providing said unique identifier of said

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wireless communication device to a server comprises providing a VIN to a cellular service provider.

However, Holmes teaches that a wireless device coupled to a vehicle can transmit the vehicle identification number of the vehicle to a server 32, so that communication from the vehicle can be monitored using a vehicle identification number (col. 3 lines 51-67 and col. 4 lines 1-4). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to provide a vehicle identification number (VIN) of a vehicle to a cellular service provider, as taught by Holmes in the assembly of Perkins in order to monitor the communication from the vehicle.

Regarding claims 30 and 31, the modified assembly of Perkins and Holmes further teaches a step of providing a command/ information from said wireless communication network to said wireless communication device (Holmes: an acknowledgement 74b in fig. 5 is provided to a wireless device 74c enabling it to operate in the hand-free mode; col. 6 lines 34-54).

Regarding claim 32, the modified assembly of Perkins and Holmes further teaches that the step of enabling communicating with said wireless communication device based upon a dynamic address associated with said wireless communication

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device comprises providing packet data to the wireless communication device (Perkins: col. 6 lines 23-25; col. 6 lines 51-58 and col. 7 lines 1-7).

Regarding claim 33, the modified assembly of Perkins and Holmes further teaches that the step of enabling communication with said wireless communication device comprises providing a command from said wireless communication network to said wireless communication device (Holmes: an acknowledgement 74b in fig. 5 is provided to a wireless device 74c enabling it to operate in the hand-free mode; col. 6 lines 34-54).

Regarding claim 34, the modified assembly of Perkins and Holmes further teaches a step providing said dynamic address to said second wireless communication device (Perkins: global gateway "owns" all of the associated pseudo-IP addresses, col. 5 lines 52-55).

Regarding claim 35, the modified assembly of Perkins and Holmes further teaches that the step of communicating comprises providing a command from said second wireless communication device to said wireless communication device based upon said dynamic address (Holmes: an acknowledgement 74b in fig. 5 is provided to a wireless device 74c enabling it to operate in the hand-free mode; col. 6 lines 34-54).

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5. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Perkins (EPO 0483547 A1) in view of Holmes et al. (U. S. Patent No. 6,751,475 B1), and further teaches that in view of Maggenti (U. S. Patent Application No. 20030072450).

Regarding claim 27, the modified assembly of Perkins and Holmes differs from the claimed invention in that modified assembly does not specifically teach that the unique identifier of a wireless communication device is an ESN of said wireless communication device. However, Maggenti teaches that an identification of a wireless device can be the ESN. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include using an ESN as the identifier for the wireless device, as taught by Maggenti in the modified assembly of Perkins and Holmes in order to store a unique identification in the second wireless device.

Regarding claim 28, the modified assembly of Perkins and Holmes further teaches that providing a unique identifier to a cellular service provider (Perkins: gateways 16 and 18 have to be in the cellular service provider's site, fig. 1).

The modified assembly of Perkins and Holmes differs from the claimed invention in that modified assembly does not specifically teach that the unique identifier of a wireless communication device is an ESN of said wireless communication device. However, Maggenti teaches that an identification of a wireless device can be the ESN. Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include using an ESN as the identifier for the wireless device, as taught by Maggenti in the modified assembly of Perkins and Holmes in order to uniquely identify the wireless device.

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**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lina Yang whose telephone number is (571)272-3151. The examiner can normally be reached Monday through Thursday between 8:00 a.m. and 7:00 p.m. eastern standard time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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